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| EXAMINER |
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BELL, MELTIN

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2121

DATE MAILED: 07/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,616

Applicant(s)

PEYRELEVADE, JEROME

Examiner

Meltin Bell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6/4-24-03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to application **10/024,616** filed **12/21/01**. Claims 1-86 have been examined.

Priority

Applicant's claim for domestic priority against application number 60/325,559 filed 10/01/2001 under 35 U.S.C. 119(e) is acknowledged.

Information Disclosure Statement

The information disclosure statement filed 4/24/03 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because of missing or inaccurate information in the listing:

- The Hawkins et al and WO 98/20458 references are missing.

It has been placed in the application file. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Drawings

The drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is required in correcting any errors of which applicant may become aware in the drawings.

The drawings are objected to because:

- Fig. 9, item 540 should be labeled AI engine as suggested on page 6, [018].
- Fig. 22, item U.170 has both YES and NO selected.
- Fig. 16 is missing the purchase history of page 25, [086].

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is required in correcting any errors of which applicant may become aware in the specification.

The disclosure is objected to because of the following informalities:

- afore-mentioned on page 18, [065] would read better as aforementioned.
- (S.300) on page 40, [0130] would read better as (S.305).
- The definitions for application and claim terminology starting on page 42, [0136] and ending on page 55, [0161] would be better placed at the beginning of the

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specification, such as starting on page 2 or 3 (Field of the Invention, Description of Related Art).

- included would read better as include on page 45, [0141].
- 'Examples of services forms of beauty products' would read better as 'Examples of beauty services' on page 50, [0150].
- 'urban dweller suburban' would read better as 'urban dweller, suburban' on page 54, [0158].
- Claims 7-12 and 14-16 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and/or cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 7-12 and 14-16 have not been further treated on the merits.

Appropriate correction is required.

Claim Objections

Claims 22-23, 25-35, 37-55, 57-68 and 71-86 are objected to because of the following informalities:

Regarding claim 22:

- 'The method of claim 22' depends on itself.

Regarding claim 23:

- 'The method of claim 22' does not depend on claim 21.

Regarding claim 25:

- 'The method of claim 25' depends on itself.

Regarding claim 26-34:

- 'The method of claim 25' does not depend on claim 24.

Regarding claim 35:

- 'The method of claim 35' depends on itself.

Regarding claim 37:

- 'The system of claim 37' depends on itself.

Regarding claim 38:

- 'The system of claims 37 or 38' depends on itself.

Regarding claim 39-42:

- 'The system of claim 37' does not depend on claim 36.

Regarding claim 43:

- 'The system of claim 43' depends on itself.

Regarding claim 44-47:

- 'The system of claim 43' does not depend on claim 42.

Regarding claim 48:

- 'The system of claim 37' does not depend on claim 36.

Regarding claim 49-51:

- 'The system of claim 43' does not depend on claim 42.

Regarding claim 52-55:

- 'The system of claim 37' does not depend on claim 36.

Regarding claim 57:

- 'The system of claim 57' depends on itself.

Regarding claim 58-68:

- 'The system of claim 57' does not depend on claim 56.

Regarding claim 71:

- 'The method of claim 71' depends on itself.

Regarding claim 72:

- 'The method of claim 72' depends on itself.

Regarding claim 73-74:

- 'The system of claim 71' does not depend on claim 70.

Regarding claim 75:

- 'The method of claim 75' depends on itself.

Regarding claim 76:

- 'The system of claim 75' does not depend on claim 74.

Regarding claim 77-85:

- 'The system of claim 71' does not depend on claim 70.

Regarding claim 86:

- 'The method of claim 86' depends on itself.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 55, 67 and 71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "is directly not maintained" in claim 55 is a relative term which renders the claim indefinite. The term "suitability of combining information" is not defined by the claim, the specification does not provide a standard for ascertaining the meaning of the phrase "suitability of combining information is directly not maintained", and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

The term "product interest" in claim 67 is a term which renders the claim indefinite. The term "product interest" is not defined by the claim, the specification does not provide a standard for ascertaining the difference between the terms "user preference" and "product interest", and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

The term "subject" in claim 71 is a term which renders the claim indefinite. The term "category of beauty products pre-selected" is not defined by the claim, the specification does not provide a standard for ascertaining whether the term "subject" is referring to the user, customer, consumer or a super-category, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 and 36-41 are rejected under 35 U.S.C. 102(e) as being anticipated by *Dooley* U.S. Patent Application Publication Number 2002/0035611 (Dated March 21, 2002; Filed December 28, 2000; 60/176,024 Filed January 14, 2000).

Regarding claim 1:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table

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... Products & Services dermatology-research dermatology-products”; page 8, [0070],

“dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant”)

- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], “The search engine ... may be provided”;

page 6, [0057], “In one embodiment ... the information network”)

- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], “The multiple domain ... beauty-consultants.net, esthetician-s.org

webdermatologists.com”; page 6, [0057], “In one embodiment ... the information network”)

- providing the identified beauty advice to the user (Figs. 1, 3)

Regarding claim 2:

Dooley teaches,

- the user-specific information includes personal information of at least one of skin type, skin tone, hair style, hair color, cosmetic color and product preferences, allergy information, demographic information, climate information, lifestyle information, fashion preferences, prior purchases, prior expressed interest, and prior browsing patterns (page 6, [0057], “In one embodiment ... the information network”)

Regarding claim 3:

Dooley teaches,

- the user-specific information includes an identification of at least one user-specified product (page 4, [0038], "In one embodiment ... products or services"; page 5, [0055], "The websites of ... a product in question")

Regarding claims 4-6:

The rejection of claims 4-6 is the same as that for claim 1 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 36:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 6, [0057], "In one embodiment ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")

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- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

Regarding claim 37:

Dooley teaches,

- the user-specific information includes personal information of at least one of skin type, skin tone, hair style, hair color, cosmetic color and product preferences, allergy information, demographic information, climate information, lifestyle information, fashion preferences, prior purchases, prior expressed interest, and prior browsing patterns (page 6, [0057], "In one embodiment ... the information network")

Regarding claim 38:

Dooley teaches,

- the user-specific information includes an identification of at least one user-specified product (page 4, [0038], "In one embodiment ... products or services"; page 5, [0055], "The websites of ... a product in question")

Regarding claim 39:

Dooley teaches,

- the artificial intelligence engine is based on at least one of a neural network, constraint program, fuzzy logic, classification, conventional artificial intelligence, symbolic manipulation, fuzzy set theory, evolutionary computation, cybernetics, data mining, approximate reasoning, derivative-free optimization, and soft computing (Fig. 1; page 2, [0023], "The environment in ... with Internet access"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network")

Regarding claims 40-41:

The rejection of claims 40-41 is the same as that for claim 36 as recited above since the stated limitations of the claims are set forth in the reference.

Claims 24-27, 56-59 and 61-69 are rejected under 35 U.S.C. 102(e) as being anticipated by *Coleman* U.S. Patent Application Publication Number 2003/0061202 (Dated March 27, 2003; Filed December 15, 2000; CIP 09/615,177 Filed July 13, 2000; 60/209,228 Filed June 2, 2000).

Regarding claim 24:

Coleman teaches,

- receiving from a user a selection of at least one user-specified product (Fig. 8; page 1, [0009], "In accordance with ... as the internet")
- accessing through an artificial intelligence search engine characterizations of a plurality of products (page 1, [0010], "In one embodiment ... Interactive Product Selector")
- accessing through the artificial intelligence search engine information about relationships between at least some of the plurality of products (page 1, [0011], "In an embodiment ... radio buttons or check-boxes")
- identifying, using the artificial intelligence engine, at least one recommended product complementary to the at least one user-specified product (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610")

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- notifying the user of the at least one recommended complementary product (Fig. 8)

Regarding claim 25:

Coleman teaches,

- receiving the user selection occurs via a network in at least one location remote from the user, and wherein notifying occurs via the network (Fig. 1)

Regarding claim 26:

Coleman teaches,

- both the at least one user-specified product and the at least one recommended complementary product are cosmetic products (page 5, [0041], "A category entitled ... the named sub-categories")

Regarding claim 27:

Coleman teaches,

- only one of the user-specified product and the at least one recommended complementary product is a cosmetic product (page 5, [0041], "A category entitled ... the named sub-categories")

Regarding claim 56:

Coleman teaches,

- an interface for receiving from a user a selection of at least one of a plurality of products (Fig. 8; page 1, [0009], "In accordance with ... as the internet")
- at least one location for storing information characterizing the plurality of products (page 2, [0028], "An exemplary server ... Web presentation server")

- at least one location for storing information about suitability of using at least one of the plurality of products with at least one other of the plurality of products (page 3, [0028], "Such server may ... the above-described servers 104")
- at least one location for storing personal information about a user (Fig. 2; page 2, [0025], "An exemplary client ... navigating the Internet 110"; page 5, [0042], "The page 300 may ... to the invention")
- an artificial intelligence engine configured to process information reflective of the at least one user-selected product, at least some of the characterizing information, at least some of the suitability information, and at least some of the personal information, and to identify therefrom at least one product complementary to the at least one user-selected product (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610")

Regarding claim 57:

The rejection of claim 57 is the same as that for claim 56 as recited above since the stated limitations of the claim are set forth in the reference.

Regarding claim 58:

Coleman teaches,

- the interface is configured to receive from the user a selection of at least two products, and wherein the artificial intelligence engine is configured to identify at least one product complementary to the at least two selected products (Figs. 5-7)

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Regarding claim 59:

Coleman teaches,

- the information about suitability of using is based on a survey of consumers (page 6, [0052], "Other features may ... for the price 610"; page 7, [0059], "It is anticipated ... or sub-mitted option selections")

Regarding claims 61:

The rejection of claim 61 is the same as that for claim 56 as recited above since the stated limitations of the claim are set forth in the reference.

Regarding claims 62:

The rejection of claim 62 is similar to that for claim 56 as recited above since the stated limitations of the claim are set forth in the reference. Claim 62's limitations difference is taught in *Coleman*:

- the at least one product selected by the user has an associated aesthetic characteristic, and wherein the artificial intelligence engine is configured to identify at least one product with an aesthetic characteristic complementary to the aesthetic characteristic of the at least one selected product (page 5, [0041], "A category entitled ... the named sub-categories")

Regarding claims 63-68:

The rejection of claim 63-68 is the same as that for claim 62 as recited above since the stated limitations of the claim are set forth in the reference.

Regarding claim 69:

Coleman teaches,

- receiving subject-specific information (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 4, [0040], "FIG.3 shows a home ... use to a customer/consumer"; page 5, [0044], "FIG. 4 shows a product ... for the product")
- using the subject-specific information to identify a first product (page 4, [0041], "Each shopping category .. For example, the"; page 5, [0041], "shopping category 308 entitled ... of the named sub-categories"; page 5, [0050], "In addition, the ... or objective features")
- accessing through an artificial intelligence search engine characterizations of a plurality of products (page 1, [0010], "In one embodiment ... Interactive Product Selector"; page 6, [0056], "Using fuzzy logic ... user's selection experience")
- accessing through the artificial intelligence search engine information about relationships between at least some of the plurality of products (page 1, [0011], "In an embodiment ... radio buttons or check-boxes")
- identifying, using the artificial intelligence engine, a second recommended product complementary to the first product (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610")
- notifying the user of the second recommended complementary product (Fig. 8)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Lambertsen* U.S. Patent Application Publication Number 2002/0024528 (Dated February 28, 2002; Filed August 27, 2001 ; 60/229,410 Filed August 31, 2000) in view of *Coleman*.

Regarding claim 21:

Lambertsen teaches,

- maintaining information characterizing a plurality of beauty products (Figs. 1-3, 5; Abstract, "A virtual makeover ... the various features")
- maintaining information about suitability of use of at least some of the plurality of beauty products with other of the plurality of beauty products (page 1, [0008], "The system of ... by the system")
- receiving from a user a selection of at least two of the plurality of beauty products (page 1, [0004], "Beauty product vendors ... an Internet connection")
- processing information characterizing the at least two selected beauty products and suitability of use information to thereby identify the at least one additional products, complementary to a combination of the at least two selected products (page 1, [0005], "Users can also ... by the user")

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- notifying the user of the at least one additional product (page 2, [0013-0015], "In a further ... in the palette")

However, *Lambertsen* does not teach processing, using the artificial intelligence engine, information characterizing the at least two selected beauty products and suitability of use information to thereby identify the at least one additional products, complementary to a combination of the at least two selected products while *Coleman* teaches,

- processing, using the artificial intelligence engine, information characterizing products and suitability of use information to thereby identify the at least one additional products, complementary to a combination of selected products (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 6, [0052], "Other features may ... for the price 610")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Accentuating user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Lambertsen* as taught by *Coleman* for the purpose of guiding the user to personalized beauty advice.

Regarding claim 22-23:

The rejection of claims 22-23 is the same as that for claim 21 as recited above since the stated limitations of the claims are set forth in the references.

Claims 28-35, 70-79 and 81-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Coleman* in view of *Lambertsen*.

Regarding claim 28:

Coleman teaches,

- receiving from a user a selection of at least one user-specified product (Fig. 8; page 1, [0009], "In accordance with ... as the internet")
- accessing through an artificial intelligence search engine characterizations of a plurality of products (page 1, [0010], "In one embodiment ... Interactive Product Selector")
- accessing through the artificial intelligence search engine information about relationships between at least some of the plurality of products (page 1, [0011], "In an embodiment ... radio buttons or check-boxes")
- identifying, using the artificial intelligence engine, at least one recommended product complementary to the at least one user-specified product (Abstract, "Methods and systems ... fuzzy membership grade"; page 6, [0052], "Other features may ... for the price 610")
- notifying the user of the at least one recommended complementary product (Fig. 8)

However, *Coleman* does not teach the at least one user-specified product is a cosmetic product and the at least one recommended complementary product is at least one of an apparel product and an accessory product while *Lambertsen* teaches,

- the at least one user-specified product is a cosmetic product and the at least one recommended complementary product is at least one of an apparel product and an accessory product (page 1, [0005], "Users can also ... by the user")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Accentuating user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Lambertsen* for the purpose of guiding the user to personalized beauty advice.

Regarding claims 29-30:

The rejection of claims 29-30 is the same as that for claim 28 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claim 31:

The rejection of claim 31 is similar to that for claim 28 as recited above since the stated limitations of the claim are set forth in the references. Claim 31's limitations difference is taught in *Coleman*:

- the information about relationships is obtained by surveying at least one of consumer preferences and consumer habits (page 7, [0059], "It is anticipated ... sub-mitted option selections")

Regarding claims 32-33:

The rejection of claims 32-33 is the same as that for claim 31 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claim 34:

The rejection of claim 34 is similar to that for claim 31 as recited above since the stated limitations of the claim are set forth in the references. Claim 34's limitations difference is taught in *Coleman*:

- the at least one user-specified product has an associated aesthetic characteristic, and wherein the artificial intelligence engine is configured to identify at least one product with an aesthetic characteristic complementary to the aesthetic characteristic of the user-specified product (page 5, [0041], "A category entitled ... the named sub-categories"; page 6, [0052], "Other features may ... for the price 610")

Regarding claim 35:

The rejection of claim 35 is the same as that for claim 34 as recited above since the stated limitations of the claim are set forth in the references.

Regarding claim 70:

Coleman teaches,

- causing at least one query to be presented to a subject (Abstract, "Methods and systems ... fuzzy membership grade"; Figs. 4-5, 7)

- selecting a first beauty product based on the subject's response to the query (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 5, [0041-0042], "A category entitled ... to the invention")

- enabling the subject to indicate whether the first beauty product is acceptable wherein when the first product is indicated as being acceptable, the method further comprises (page 5, [0041], "A category entitled ... of the named sub-categories"; page 6, [0052], "Other features may ... for the price 610")

- selecting at least one second beauty product complementary to the first beauty product (page 5, [0041], "A category entitled ... of the named sub-categories" page 6, [0052], "Other features may ... for the price 610")

However, *Coleman* doesn't explicitly teach enabling displays of a simulation of beauty products applied on a facial image while *Lambertsen* teaches,

- enabling a display of a simulation of the first beauty product applied on a facial image (page 1, [0003-0005], "Through the use ... by the user")

- enabling a display of a simulation of the first and second beauty products applied on the facial image (page 1, [0008], "The system of ... by the system")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Accentuating user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Lambertsen* for the purpose of guiding the user to personalized beauty advice.

Regarding claim 71:

The rejection of claim 71 is similar to that for claim 70 as recited above since the claim limitations are set forth in the references. Claim 71's limitations difference is taught in *Coleman*:

- the first beauty product is chosen from a category of beauty products pre-selected by the subject (page 4, [0040], "FIG. 3 shows a home ... use to a customer/consumer")

Regarding claim 72-73:

The rejection of claims 72-73 is the same as that for claim 71 as recited above since the claim limitations are set forth in the references.

Regarding claim 74:

The rejection of claim 74 is similar to that for claim 71 as recited above since the claim limitations are set forth in the references. Claim 74's limitations difference is taught in *Lambertsen*:

- when the first product is indicated as being unacceptable, the method further comprises selecting an alternative first beauty product and enabling a display of a simulation of the alternative first beauty product applied on the facial image (Fig. 7; page 1, [0005], "Users can also ... by the user")

Regarding claim 75-77:

The rejection of claim 75-77 is the same as that for claim 74 as recited above since the claim limitations are set forth in the references.

Regarding claim 78-79:

The rejection of claims 78-79 are the same as that for claim 74 as recited above since the claim limitations are set forth in the references.

Regarding claim 81-84:

The rejection of claims 81-84 are similar to that for claim 74 as recited above since the claim limitations are set forth in the references.

Regarding claim 85:

The rejection of claim 85 is similar to that for claim 74 as recited above since the claim limitations are set forth in the references. Claim 85's limitations difference is taught in *Coleman*:

- selecting the second beauty product further comprises identifying the second beauty product using an artificial intelligence engine (page 1, [0010], "In one embodiment ... Interactive Product Selector")

Regarding claim 86:

The rejection of claim 86 is the same as that for claim 85 as recited above since the claim limitations are set forth in the references.

Claims 13, 42-44, 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Coleman*.

Regarding claim 13:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], "The search engine ... may be provided"; page 6, [0057], "In one embodiment ... the information network")
- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")
- providing the identified beauty advice to the user (Figs. 1, 3)

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However, *Dooley* doesn't explicitly teach the data reflecting relationships is obtained by surveying at least one of consumer preferences and consumer habits while *Coleman* teaches,

- the data reflecting relationships is obtained by surveying at least one of consumer preferences and consumer habits (page 7, [0059], "It is anticipated ... or sub-mitted option selections")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], "In view of ... or innovative advantage")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Coleman* for the purpose of inexpensively guiding the user to personalized beauty advice.

Regarding claim 42:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 6, [0057], "In one embodiment ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research

dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")

- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 6, [0057], "In one embodiment ... the information network")

- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product while *Coleman* teaches,

- the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product (page 6, [0052], "Other features may ... for the price 610")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

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- Providing valuable guidance to the user (*Coleman*, page 1, [0008], “There remains a ... a selection process”)
- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], “In view of ... or innovative advantage”)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Coleman* for the purpose of inexpensively guiding the user to personalized beauty advice.

Regarding claim 43-44:

The rejection of claims 43-44 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 47:

The rejection of claim 47 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 48:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, “A system and ... the assigned website”; Fig. 3; page 6, [0057], “In one embodiment ... the information network”; page 7, [0070], “The following table ... Products & Services dermatology-research dermatology-products”; page 8, [0070], “dermpducts dermsystem dermservices ... skinlightener sunscreens e-deodorant”)

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- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 6, [0057], "In one embodiment ... the information network")

- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the information reflecting relationships is obtained by surveying at least one of consumer preferences and consumer habits while *Coleman* teaches,

- the information reflecting relationships is obtained by surveying at least one of consumer preferences and consumer habits (page 7, [0059], "It is anticipated ... or submitted option selections")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], "In view of ... or innovative advantage")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Coleman* for the purpose of inexpensively guiding the user to personalized beauty advice.

Regarding claim 49-51:

The rejection of claims 49-51 is the same as that for claim 42 as recited above since the stated limitations of the claims are set forth in the references.

Claims 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Coleman* and in further view of *Lambertsen*.

Regarding claim 45:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 6, [0057], "In one embodiment ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 6, [0057], "In one embodiment ... the information network")
- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-

specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product or at least one of an apparel product and an accessory product while *Coleman* teaches,

- the beauty advice includes a product recommendation, wherein the user-specific information includes at least one user-specified product, wherein during identifying the artificial intelligence engine identifies at least one product complementary to the at least one user-specified product, and wherein during conveying, the user is advised of the at least one complementary product (page 6, [0052], "Other features may ... for the price 610")

Lambertsen teaches,

- the at least one user-specified product is a cosmetic product and the at least one identified complementary product is at least one of an apparel product and an accessory product (page 1, [0005], "Users can also ... by the user")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], "In view of ... or innovative advantage")

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- Accentuating user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Coleman* and *Lambertsen* for the purpose of inexpensively guiding the user to personalized beauty advice.

Regarding claim 46:

The rejection of claim 46 is the same as that for claim 45 as recited above since the stated limitations of the claims are set forth in the references.

Claims 17-19 and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Lambertsen*.

Regarding claim 17:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table

... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")

- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], "The search engine ... may be provided"; page 6, [0057], "In one embodiment ... the information network")

- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 6, [0057], "In one embodiment ... the information network")

- providing the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the suitability of combining beauty products while *Lambertsen* teaches,

- the accessed data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products (Figs. 1-3, 5; page 1, [0008], "The system of ... by the system")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], "In view of ... or innovative advantage")

- Accentuating user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Lambertsen* for the purpose of inexpensively guiding the user to personalized beauty advice.

Regarding claim 18-19:

The rejection of claims 18-19 is the same as that for claim 17 as recited above since the stated limitations of the claims are set forth in the references.

Regarding claim 52:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 6, [0057], "In one embodiment ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 6, [0057], "In one embodiment ... the information network")
- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products while *Lambertsen* teaches,

- the data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products (page 1, [0008], "The system of ... and/or by the system")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], "In view of ... or innovative advantage")
- Accentuating user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Lambertsen* for the purpose of inexpensively accentuating user features.

Regarding claims 53-54:

The rejection of claims 53-54 is the same as that for claim 52 as recited above since the stated limitations of the claims are set forth in the references.

Claims 20 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dooley* in view of *Lambertsen* and in further view of *Coleman*.

Regarding claim 20:

Dooley teaches,

- receiving user-specific information (page 6, [0057], "In one embodiment ... the information network")
- accessing a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, "A system and ... the assigned website"; Fig. 3; page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org webdermatologists.com"; page 4, [0036], "In general, a ... one entry website 216"; page 4, [0039], "Entry websites 216 ... Institute of Health"; page 5, [0056], "In one embodiment ... optimized placement within"; page 6, [0056], "search engine results ... the information network"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant")
- comparing, using an artificial intelligence engine, the received user-specific information with the accessed data (Fig. 3; page 4, [0046], "The search engine ... may be provided"; page 6, [0057], "In one embodiment ... the information network")
- identifying, using the artificial intelligence engine, beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 3, [0031-0032], "The multiple domain ... beauty-consultants.net, esthetician-s.org

webdermatologists.com”; page 6, [0057], “In one embodiment ... the information network”)

- providing the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the suitability of combining complementary beauty products while *Lambertsen* teaches,

- the accessed data structure includes information characterizing a plurality of beauty products and information about suitability of combining at least some of the plurality of beauty products with other of the plurality of beauty products (Figs. 1-3, 5; page 1, [0008], “The system of ... by the system”)

Coleman teaches,

- receiving user-specific information includes receiving from the user a selection of a combination of at least two of the plurality of beauty products, wherein suitability of combining information is maintained on less than a universe of all combination of the plurality of beauty products, and wherein when an individual selects a combination of beauty products for which suitability of combining information is directly not maintained, the artificial intelligence engine, during identifying, identifies a product likely to be complementary to the user-selected combination (page 5, [0041], “A category entitled ... the named sub-categories”; page 6, [0052], “Other features may ... for the price 610”; page 6, [0056], “Using fuzzy logic ... user's selection experience”; page 7, [0059], “It is anticipated ... or sub-mitted option selections”)

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], “There remains a ... a selection process”)
- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], “In view of ... or innovative advantage”)
- Accentuating user’s natural features (*Lambertsen*, page 4, [0045], “In a further ... the user’s face”)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Lambertsen* and *Coleman* for the purpose of inexpensively guiding the user to personalized beauty advice.

Regarding claim 55:

Dooley teaches,

- a data structure containing information reflecting relationships between categories of user-specific information and beauty advice (Abstract, “A system and ... the assigned website”; Fig. 3; page 6, [0057], “In one embodiment ... the information network”; page 7, [0070], “The following table ... Products & Services dermatology-research dermatology-products”; page 8, [0070], “dermproducts dermsystem dermservices ... skinlightener sunscreens e-deodorant”)
- an artificial intelligence engine, configured to receive and process the information reflecting relationships and user-specific information, to thereby identify beauty advice determined by the artificial intelligence engine to be related to the user-specific information (page 6, [0057], “In one embodiment ... the information network”)
- an interface for conveying the identified beauty advice to the user (Figs. 1, 3)

However, *Dooley* doesn't explicitly teach the user-specific information includes a user selection of a combination of at least two of the plurality of beauty products, wherein information about relationships is information on less than a universe of all combinations of the plurality of beauty products, and wherein an individual selects a combination of beauty products for which suitability of combining information is directly not maintained, the artificial intelligence engine is configured to identify a products likely to be complementary to the user-selected combination while *Lambertsen* teaches,

- the user-specific information includes a user selection of a combination of at least two of the plurality of beauty products, wherein information about relationships is information on less than a universe of all combinations of the plurality of beauty products, and wherein an individual selects a combination of beauty products for which suitability of combining information is directly not maintained (page 1, [0005], "Users can also ... by the user"; page 1, [0008], "The system of ... user and/or by the system")

Coleman teaches,

- the artificial intelligence engine is configured to identify a products likely to be complementary to the user-selected combination (page 6, [0052], "Other features may ... for the price 610")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")

- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], “In view of ... or innovative advantage”)
- Accentuating user’s natural features (*Lambertsen*, page 4, [0045], “In a further ... the user’s face”)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Dooley* as taught by *Lambertsen* and *Coleman* for the purpose of inexpensively guiding the user to personalized beauty advice.

Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Coleman* in view of *Dooley*.

Regarding claim 60:

Coleman teaches,

- an interface for receiving from a user a selection of at least one of a plurality of products (Fig. 8; page 1, [0009], “In accordance with ... as the internet”)
- at least one location for storing information characterizing the plurality of products (page 2, [0028], “An exemplary server ... Web presentation server”)
- at least one location for storing information about suitability of using at least one of the plurality of products with at least one other of the plurality of products (page 3, [0028], “Such server may ... the above-described servers 104”)
- at least one location for storing personal information about a user (Fig. 2; page 2, [0025], “An exemplary client ... navigating the Internet 110”; page 5, [0042], “The page 300 may ... to the invention”)

- an artificial intelligence engine configured to process information reflective of the at least one user-selected product, at least some of the characterizing information, at least some of the suitability information, and at least some of the personal information, and to identify therefrom at least one product complementary to the at least one user-selected product (Abstract, "Methods and systems ... fuzzy membership grade")

However, *Coleman* doesn't explicitly teach the information about suitability of using based on expert advice while *Dooley* teaches,

- the information about suitability of using based on expert advice (page 3, [0032], "The domain names ... beauty-consultants.net, esthetician-s.org, webdermatologists.com"; page 7, [0068-0069], "According to one ... is not required"; page 7, [0070], "The following table ... Products & Services dermatology-research dermatology-products"; page 8, [0070], "dermproducts dermsystem dermservices ... skinlightner sunscreens e-deodorant")

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Increasing traffic at the lowest per visitor cost (*Dooley*, page 1, [0010], "In view of ... or innovative advantage")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Dooley* for the purpose of inexpensively guiding the user to personalized beauty advice.

Claim 80 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Coleman* in view of *Lambertsen* further in view of *Horikita* European Patent Application Publication Number 0 226 959 A2 (Published July 1, 1987) and in further view of *Marapane et al* U.S. Patent Number 6,707,929 (Dated March 16, 2004; Filed April 27, 2001).

Regarding claim 80:

Coleman teaches,

- causing at least one query to be presented to a subject (Abstract, "Methods and systems ... fuzzy membership grade"; Figs. 4-5, 7)
- selecting a first beauty product based on the subject's response to the query (Fig. 8; page 1, [0009], "In accordance with ... as the internet"; page 5, [0041-0042], "A category entitled ... to the invention")
- enabling the subject to indicate whether the first beauty product is acceptable wherein when the first product is indicated as being acceptable, the method further comprises (page 5, [0041], "A category entitled ... of the named sub-categories"; page 6, [0052], "Other features may ... for the price 610")
- selecting at least one second beauty product complementary to the first beauty product (page 5, [0041], "A category entitled ... of the named sub-categories" page 6, [0052], "Other features may ... for the price 610")

However, *Coleman* doesn't explicitly teach enabling displays of a simulation of beauty products applied on a facial image or the simulation of the first beauty product applied

on the facial image is displayed adjacent a display of the simulation of the first and second beauty products applied on the facial image while *Lambertsen* teaches,

- enabling a display of a simulation of the first beauty product applied on a facial image (page 1, [0003-0004], "Through the use ... an Internet connection")

- enabling a display of a simulation of the first and second beauty products applied on the facial image (page 1, [0008], "The system of ... by the system")

Horikita teaches,

- the simulation of the facial image is displayed adjacent a display of the simulation of the first and second beauty products applied on the facial image (Fig. 2; page 4, lines 55-57, "The windows include ... or after working")

Marapane et al teaches,

- the simulation of the first beauty product applied on the image is displayed adjacent a display of the simulation of the first and second beauty products applied on the image (Fig. 9; column 1, lines 55-62, "the invention is ... family color selection")

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Providing valuable guidance to the user (*Coleman*, page 1, [0008], "There remains a ... a selection process")
- Accentuating user's natural features (*Lambertsen*, page 4, [0045], "In a further ... the user's face")
- Improved operability and processing (*Horikita*, page 2, lines 30-38, "It is another ... the processing speed")

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- Accounting for lighting differences (*Marapane et al*, column 1, lines 62-67, "This method may ... image is viewed")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Coleman* as taught by *Lambertsen*, *Horikita* and *Marapane et al* for the purpose of efficiently guiding the user to personalized beauty advice.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- *Dooley* ; US 20020035611 A1; System and method for providing an information network on the internet
- *Coleman*; US 20030061202 A1; Interactive product selector with fuzzy logic engine
- *Lambertsen*; US 20020024528 A1; Virtual makeover system and method
- *Horikita*; European Patent Application Publication Number 0 226 959 A2; Make-up simulator
- *Marapane et al*; US 6707929 B2; Method for analyzing hair and predicting achievable hair dyeing ending colors
- *Marapane et al*; WO 01/87245 A2; Method for analyzing hair and predicting achievable hair dyeing ending colors
- *Orpaz et al*; WO 02/05249 A2; Make-up and fashion accessory display and marketing system and method

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- *Aarabi et al*; The automatic measurement of facial beauty; IEEE International Conference on Systems, Man, and Cybernetics; Vol. 4; 7-10 Oct. 2001; pp 2644 - 2647
- *Zhang et al*; Scenic beauty estimation using independent component analysis and support vector machines; IEEE Southeastcon Proceedings; 25-28 March 1999; pp 274 - 277
- *Katsenelinboigen*; Beauty as a measurement of performance: an introduction to the calculus of predispositions; 5th IEEE International Symposium on Intelligent Control Proceedings; 5-7 Sept. 1990; pp 98 - 103; vol.1
- *Ngo et al*; Aesthetic measures for screen design; Proceedings Computer Human Interaction Conference; 30 Nov.-4 Dec. 1998; pp 64 - 71

Any inquiry concerning this communication or earlier communications from the Office should be directed to Melvin Bell whose telephone number is 703-305-0362. This Examiner can normally be reached on Mon - Fri 7:30 am - 4:30 pm.

If attempts to reach this Examiner by telephone are unsuccessful, his supervisor, Anthony Knight, can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MB / *MB*


Anthony Knight
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